

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

FILED

NOV 14 2016

Clerk U.S. District Court
District Of Montana
Billings

UNITED STATES OF AMERICA,

Plaintiff/Respondent,

vs.

RYAN EDWARD LEE,

Defendant/Movant.

Cause No. CR 14-12-BLG-SPW

ORDER DENYING MOTION
TO RECONSIDER AND DENYING
CERTIFICATE OF APPEALABILITY

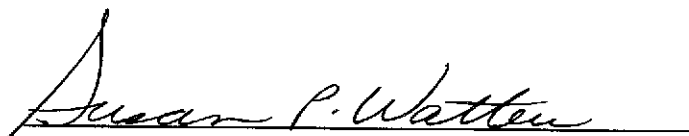
On April 14, 2016, Defendant/Movant Lee, a federal prisoner proceeding pro se, filed a motion to vacate, set aside, or correct his sentence, pursuant to 28 U.S.C. § 2255. On April 15, 2016, the Court issued an order explaining that Lee's motion failed to allege sufficient facts to support a reasonable inference that relief was due. Lee was permitted to cure the defects of his motion and submitted a supplement on May 24, 2016. On October 11, 2016, the Court reviewed Lee's claims in light of the record of the case and concluded that the facts he alleged did not support an inference that counsel provided ineffective assistance in any respect. The motion and a certificate of appealability were denied. *See* Order (Doc. 117).

On November 10, 2016, Lee moved the Court to reconsider. His motion to reconsider, however, like his § 2255 motion, does not allege facts capable of supporting an inference that he is entitled to relief. Like his § 2255 motion, his

motion to reconsider is denied. A certificate of appealability is also denied because reasonable jurists could find no basis in Lee's motion to reconsider for reopening proceedings on the § 2255 motion.

Accordingly, IT IS HEREBY ORDERED that Lee's motion to reconsider (Doc. 118) is DENIED. A certificate of appealability is DENIED.

DATED this 14th day of November, 2016.


Susan P. Watters
United States District Court